

1 Bahig Saliba  
2 10824 East Santa Fe Trail  
3 Scottsdale, Arizona 85262  
4 Ph. 480-235-0304  
5 Email: [medoverlook@protonmail.com](mailto:medoverlook@protonmail.com)

6  
7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF ARIZONA**

9  
10 Bahig Saliba,  
11 Plaintiff,  
12 v.  
13 Spokane International Airport *et. al.*,  
14 Defendants.

Case No. CV-22-543-PHX-JJT

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19  
20  
**RESPONSE TO DEFENDANTS**  
**MOTION TO DISMISS FOR LACK OF**  
**PERSONAL JURISDICTION**

21 **IMPROPER CONCLUSION**  
22  
23  
24  
25

In his challenge, Mr. Robert T. Sullivan, has reached an improper conclusion of the defendants' minimum contact with the state of Arizona. The plaintiff asserts that this Circuit Court personal jurisdiction in this case is proper.

**1                   BRIEF FACTUAL HISTORY**

2  
3                 The current American Airlines (AA) is a product of mergers and acquisitions of several  
4                 airlines led by America West Airlines. AA maintains hubs in several major airports in the United  
5                 States. Phoenix Sky Harbor Airport is one of AA's major hubs that was the home base of America  
6                 West Airlines, Arizona's Hometown airline. The plaintiff is an original America West pilot and  
7                 has always been based in Arizona.

8  
9                 AA's network system has presence in the entire United States and specifically at the  
10                 Spokane International Airport. The airline operations control is centralized in Fort Worth, Texas  
11                 and so are the airline's operations at Spokane International Airport. The airline structure dictates  
12                 that any contact with any AA representative anywhere in the system find its way to the appropriate  
13                 location, and in this case the AA Phoenix, Arizona hub.

**14**  
**15**  
**16                   DEFENDANTS ACTIONS**

17  
18                 Spokane International Airport, as part of a transportation system, has a commercial interest  
19                 in Arizona and a connection. That connection is advertised on the Spokane International Airport  
20                 website. The airlines, and particularly AA, create those connections that allow Washingtonians to  
21                 travel to Arizona and by doing so, Spokane as a public entity, contacts Arizona daily and extends  
22                 its interests and business well into Arizona. Additionally, by and through its agents, in this case  
23                 the remaining three defendants, it extended its reach beyond the borders of Washington and  
24                 materially and substantially caused irreparable harm to the plaintiff. As stated by Mr. Sullivan on  
25                 P. 5 L. 22 of the motion to dismiss, "The individual Defendants' work in and as a part of the  
26                 airport's operations." Spokane and the defendants' actions are one and same in this case.

1       On P. 4 L. 8 of the motion to dismiss it is stated: "All of the defendants' activities, which  
2 are subject of the complaint, took place in Washington." That message was repeated in the motion  
3 several times. The facts differ. The actions of the defendants were not contained in Washington,  
4 and the defendants certainly availed themselves to the laws and protection of Arizona. The  
5 plaintiff clearly identified such actions in the complaint on P. 14 L. 15, on P. 17 L. 8, on P. 21 L.  
6 4, and again on P. 18 L. 13 of the complaint. Had the defendants followed the law and the Spokane  
7 Police Department Policy Manual (the manual), the plaintiff would not have and would not  
8 continue to suffer this detrimental outcome, he is one step away from termination and has not  
9 flown an aircraft for AA since December 6<sup>th</sup>, 2021. *See* complaint P.18 L.16 and P.19 L.4 and 6.

10

11       Video and audio evidence support the fact that the defendants went out of their way to  
12 instantly communicate to AA the events taking place. The defendants actively and purposely  
13 created an immediate channel of communication with AA and paved the way, through follow up  
14 emails, to further persecute the plaintiff through a process under the control of the airline, knowing  
15 that the effects of their actions would manifest in Arizona. A similar outcome but in a different  
16 state would occur if the plaintiff were based at any other AA hub.

17

18       The plaintiff has requested through the freedom of information act and was provided with  
19 the documents below. The communications that took place between the defendants and AA clearly  
20 show 1) The existence of the contact with the forum State, 2) That the defendants initiated the  
21 contact and continued such contact in future dealings and well after the plaintiff left Washington,  
22 3) The defendants intended on providing further assistance to AA in the future, and 4) Guided and  
23 coached AA in the direction it should take to further persecute the plaintiff with the help of more  
24 information from the Transportation Security Administration (TSA) local manager in Spokane.

25

26

1       The plaintiff alleges there may exist other communications that took place that were not  
2 documented. The plaintiff himself witnessed Sgt. Watson communicating with the AA agent upon  
3 his arrival at the gate area. The plaintiff also alleges that more evidence in discovery and  
4 deposition will reveal the true nature of the defendants' actions. The plaintiff alleges that the  
5 defendants acted officially and inappropriately established contacts with AA.

6

7       The following are some of the communications between the defendants and AA the day of  
8 and the day after the plaintiff left Washington. It appears that there may be other forms of  
9 communications that took place between the defendants and AA.

10

11       It is clear here that defendant Rose-Watson, as the leader of the group and in agreement  
12 with the other defendants, used the wealth of her experience to coach AA, a multi-billion-dollar  
13 corporation, on how to further persecute a working man who is abiding by the Federal Aviation  
14 Administration laws and the mask mandate to safely take his passengers from Spokane to Dallas  
15 Fort Worth.

16

17       I am also including a page from the hearing that AA conducted in their persecution of the  
18 plaintiff. It clearly indicates there existed a line of communications between AA and the Spokane  
19 Airport police.

20

21       The defendants, not only acted outside their authority, but they also went beyond the  
22 borders of Washington and well into Arizona.

23

24

25

26

27

1/9/22, 10:28 AM

Re: Captain Bahig Saliba

**Re: Captain Bahig Saliba**  
From: Tarina Rose <trose@spokaneairports.net>  
Sent: Tue, Dec 7, 2021 at 2:20 pm  
To: Kirby, John  
Cc: Cooley JR, Bill, Clay Creek

---

I should add that TSA's report of the incident is separate from ours and should be considered if investigated. The head of our local TSA Regulatory is Amanda Weigum and she can be reached at 509-626-5413. You might have to complete their FOIA request form for their copy but it should be no problem. That way you can see Saliba interaction with those folks.

Sgt. Rose-Watson

-----Original Message-----

From: "Kirby, John" <John.a.kirby@aa.com>  
Sent: Tuesday, December 7, 2021 2:13pm  
To: "Tarina Rose" <trose@spokaneairports.net>, "Cooley JR, Bill" <william.cooley@aa.com>  
Cc: "Clay Creek" <ccreek@spokaneairports.net>  
Subject: Re: Captain Bahig Saliba

Adding Bill

John Kirby  
Regional Manager ORD PHX LAX  
American Airlines  
3102135399

On Dec 7, 2021, at 3:05 PM, Tarina Rose <trose@spokaneairports.net> wrote:

Mr. Kirby,

Thank you for your time this afternoon. The report number on this case is 2021-86000731. Officers that were involved include: myself (Sgt. Rose-Watson), Officer Creek and Officer Holschen.

You may request a public records request by going to <https://spokaneairports.net>. Once you pull up the airport's webpage, scroll down to the bottom of the page and click on: "Doing Business". Once that is clicked, towards the top of that page is another tab called, "Doing Business." Once you click on that link there is a tab for public records request. There is a small fee for a copy but there are only 2 pages to be copied.

You may also request body camera footage. Once you receive the requested documents, I can further assist whomever is investigating this case. Especially in knowing why charges where not sanctioned on this individual.

I'm back to work on Sunday, December 12th at 6am. I will be working Sunday-Wednesday next week.

If you need any additional assistance, please feel free to reach out to me.

Thank you,

Sgt. Rose-Watson

<image001.jpg>

9/22, 10:35 AM

Re: Captain Bahig Saliba

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From: Kirby, John <John.a.kirby@aa.com>  
Sent: Tue, Dec 7, 2021 at 3:31 pm  
To: Tarina Rose  
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	<b>SPOKANE AIRPORT POLICE</b> CASE# <b>2021-86000731</b> <b>FIELD CASE REPORT</b>		
<b>NARRATIVE</b>			
<p>On 12-06-2021 at 0518 hrs, I was dispatched to the C Screening Checkpoint of the Spokane Airport on a pilot who was in non-compliance of the face mask order. When I arrived, I spoke with the pilot who was identified as Bahig Saliba a pilot for American Airlines.</p> <p>I told him that he needed to wear a mask in the airport. Since he was a pilot on a plane what is he going to do if a passenger on a plane does nor wear a mask. He stated, "That is their prerogative". He stated he is a federally certified pilot and tried to show me the regulation stating he does not have to wear the mask. I told him he was in the airport and he had to wear a mask. He stated that he did not. He stated he does not wear the mask when he is on the flight deck. He argued that he did not have to wear the mask by the regulation. I told him he had to wear a mask in the airport per the presidential order and the governor's order. He stated that he was allowed to take his mask off to catch his breath. Spokane Airport CCTV showed him entering airport without a mask and not wearing a mask throughout his time going through screening. He kept wanting to show me what he said were regulations that said he did not have to wear a face mask. When I told him that I would be submitting a report that would be going through TSA Regulatory and he may be fined up to \$13,000.00 he said, "that's fine". When he was told that a Federal Law Enforcement officer as well as TSA Regulatory would probably be getting in contact with him he nodded his head. He was then released to go make his flight.</p> <p>During conversation with Officer Holschen he stated that he could remove his mask to breath normally per the CDC order.</p> <p>He was the pilot for Flight 484 to Dallas. His actions caused a delay of appx 1 minute according to the station manager. During his time he was in the airport he never once put on his mask despite being asked to do so. He was completely defiant and was not going to put on a mask because he felt he did not think he needed to.</p> <p>The contact was audio video taped on my body camera and Officer Holschen's body camera. Airport CCTV video was archived for future review.</p> <p>I certify under the penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I have entered my authorized user ID and password to authenticate it. Place Signed: Spokane County WA</p>			

REPORTING OFFICER 900094 Creek	DATE 12/06/2021	REVIEWED BY Rose-Watson, Tarina	12/06/2021
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	<b>SPOKANE AIRPORT POLICE</b> <b>FIELD CASE REPORT</b>																																
			CASE # <b>2021-86000731</b>																														
			REPORTING DISTRICT Other Jurisdiction																														
EVENT	REPORTED DATE/TIME <b>12/06/2021 05:27</b>	OCCURRED INCIDENT TYPE <b>Suspicious Person</b>	LOCATION OF OCCURRENCE <b>Spokane International Airport - SIA 9000 W AIRPORT DR Spokane, WA</b>																														
OCCURRED FROM DATE/TIME <b>12/06/2021 05:18</b>	OCCURRED THRU DATE/TIME <b>12/06/2021 05:18</b>																																
OFFENSES																																	
SUBJECT	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="width: 25%;">JACKET/SUBJECT TYPE <b>Adult Person</b></td> <td colspan="4" style="width: 75%;">NAME (LAST, FIRST, MIDDLE SUFFIX) <b>Saliba, Bahig Nadim</b></td> <td style="width: 10%; text-align: right;">NON-DISCLOSURE <b>N</b></td> </tr> <tr> <td colspan="2" style="width: 25%;">DOB <b>01/02/1964</b></td> <td colspan="4" style="width: 50%;">AGE or AGE RANGE <b>57</b></td> <td colspan="2" style="width: 25%;">ADDRESS (STREET, CITY, STATE, ZIP) <b>10824 E Santa Fe Trail Scottsdale, AZ 85262</b></td> </tr> <tr> <td colspan="2" style="width: 25%;">RACE <b>Middle Eastern</b></td> <td style="width: 15%;">SEX <b>Male</b></td> <td style="width: 15%;">HEIGHT or RANGE <b>5'10</b></td> <td style="width: 15%;">WEIGHT or RANGE <b>180</b></td> <td style="width: 15%;">HAIR <b>Black</b></td> <td style="width: 15%;">EYE <b>Brown</b></td> <td style="width: 10%; text-align: right;">PHONE #2</td> </tr> <tr> <td colspan="2" style="width: 25%;">DL NUMBER/STATE <b>D00236813 / AZ</b></td> <td colspan="2" style="width: 25%;">PRIMARY PH# <b>(480)755-7889</b></td> <td colspan="3" style="width: 50%; text-align: right;">PHONE #3</td> </tr> </table>			JACKET/SUBJECT TYPE <b>Adult Person</b>		NAME (LAST, FIRST, MIDDLE SUFFIX) <b>Saliba, Bahig Nadim</b>				NON-DISCLOSURE <b>N</b>	DOB <b>01/02/1964</b>		AGE or AGE RANGE <b>57</b>				ADDRESS (STREET, CITY, STATE, ZIP) <b>10824 E Santa Fe Trail Scottsdale, AZ 85262</b>		RACE <b>Middle Eastern</b>		SEX <b>Male</b>	HEIGHT or RANGE <b>5'10</b>	WEIGHT or RANGE <b>180</b>	HAIR <b>Black</b>	EYE <b>Brown</b>	PHONE #2	DL NUMBER/STATE <b>D00236813 / AZ</b>		PRIMARY PH# <b>(480)755-7889</b>		PHONE #3		
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1																																	
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4	The page below is from the hearing that AA conducted on January 6 <sup>th</sup> , 2022, as a result of being informed by the defendants of the event on December 6 <sup>th</sup> , 2021, and it clearly shows the extent of communications between the defendants and the plaintiff's employer. Neither the defendants nor AA has authority under the law to conduct any of their activity in persecuting the plaintiff.																																
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CAPTAIN BAHIG SALIBA 01/06/2022

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1 specific information concerning the behavior or  
2 performance in question, or any corroborating evidence, as  
3 required in Section 21.A.H.1 of the JCBA. Therefore, I  
4 am moving to reschedule this hearing.

5 So thank you, gentlemen. I look forward to  
6 rescheduling the hearing.

7 Q. Okay.

8 A. And that's my statement. I will not say any  
9 more.

10 Q. Fair enough. I hear your statement. And I will  
11 give you, I will give you a different side, if you will,  
12 and tell you that we were told you weren't wearing a mask  
13 at the Spokane airport. (TSA and local authorities had an  
14 encounter with you going through another crew member.  
15 That information was brought to Ken. And they were going  
16 to actually press charges but turned it over to American  
17 Airlines to handle it within our own system, which brings  
18 us to this Section 21 hearing.)

19 So shy of a mug shot or you being on a police  
20 blotter, American Airlines said we will take this, he is  
21 our pilot, we will handle this Section -- we call it a  
22 Section 21 process, but we will work through the  
23 disciplinary process on the American Airlines side.

24 We have a policy here. I didn't make it up.  
25 Our CEO didn't make it up. Ken and I have nothing to do

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Coash & Coash, Inc. 602-258-1440

The plaintiff alleges that all three defendants have taken an oath to uphold and defend the law and the constitution and they are to hold each other to account. Sergeant Watson was loud and clear when she announced her intention of notifying AA of the plaintiff and officers Creek and Holschen had the duty and opportunity to correct her actions and prevent her from overstepping their authority and availing themselves of the law and protection of Arizona. All three defendants operate as a unit and are held to account, especially when any one of them becomes aware of a violation.

By their actions, all three defendants should have a reasonable expectation of being haled into a courtroom other than in Washington State.

## **LEGAL AUTHORITY**

The Supreme Court held that in determining personal jurisdiction we should not look at the phrasing of the complaint in tort or contract, but the substance of the complaint.

Under Arizona. R. Civ. P. 4.2, an Arizona court may exercise personal jurisdiction over a non-resident defendant to the maximum extent permitted by the Constitution. Arizona's long-arm statute has a broad remedial purpose and is liberally construed to confer upon Arizona residents the maximum privileges permitted by the federal constitution. *Meyers v. Hamilton Corp.*, 143 Ariz. 249, 252, 693 P.2d 904, 907 (1984)

1        As illustrated above, the plaintiff's allegations clearly indicate intentional and concerted  
 2 contact with the forum State Arizona and that maintaining the suit in Arizona does not offend  
 3 traditional notions of fair play and substantial justice. *Id.* At 252. 693 P.2d at 907.  
 4 "The notion of 'fair play and substantial justice' is a flexible one, requiring courts to look at the  
 5 fact situation of each case to determine whether there are sufficient, purposeful 'minimum  
 6 contacts' with the forum." *O'Conner, Cavanagh, Anderson, Westover, Killingsworth & Beshears,*  
 7 *P.A. v. Bonus Utah, Inc.*, 156 Ariz. 171,173, 750 P.2d 1374, 1376 (Ct App. 1988) (emphasis  
 8 added). *See also Williams v. Lakeview Co.*, 199 Ariz. 3-4, 13 P.3d 280, 282-83 (2000) ("We cannot  
 9 decide the issue of personal jurisdiction by applying any mechanical test or 'talismanic  
 10 jurisdictional formulas'; the facts of each case must always be weighed in determining whether  
 11 personal jurisdiction would comport with 'fair play and substantial justice.'") (quoting *Burger*  
 12 *King Corp. v. Rudzewicz*, 471 U.S. 462, 485-86 (1985))

13

14

15        Also, in deciding if minimum contacts exist, "it is not the number of contacts involved but  
 16 the importance of the particular contacts. Quality, not the quantity of the defendant's activities, is  
 17 what is persuasive." *Meyers*, 143 Ariz. At 253, 693 P.2d at 908. Therefore, a single act is sufficient  
 18 to establish a basis for personal jurisdiction. *O'Conner*, 156 Ariz. at 173, 750 P.2d at 1376.

19

20

21        Causing the plaintiff to not be able to fly an aircraft for AA since December 6<sup>th</sup>, 2021 and  
 22 be on the verge of losing a 24-year career with the airline speaks volumes of the effects of the  
 23 defendants' actions.

24

25

1       The plaintiff asserts that even the hiring by the defendants of an Arizona law firm to file  
2 the motion to dismiss in and of itself is minimum contact necessary to establish personal  
3 jurisdiction over the defendants.

4

5

6       As the plaintiff alleges on P. 14 L. 15 of the complaint, which is supported by body cam  
7 recordings, defendant Rose-Watson announced she would proceed to the AA gate to inform the  
8 AA agent about the captain who refused to wear a mask. The footage also indicates that the  
9 defendant received confirmation from the AA gate agent, Tony, that the defendant's chief pilot in  
10 Phoenix will be notified making the defendant aware of the effects of her actions and where they  
11 were heading.

12

13

14       In *Walden v. Fiore*, the Supreme court has held that first the relationship must arise out of  
15 contacts that the "defendant himself" creates with the forum State. *Burger King Corp. v.*  
16 *Rudzewicz*, 471 U.S. 462, 475 (1985). Here, the defendants initiated and created such contact  
17 with AA.

18

19

20       In *Gray Co. v. Firstenberg Machinery Co., Inc*, the Circuit Court decision held that  
21 "purposeful availment requires that the defendant engage in some form of affirmative conduct  
22 allowing or promoting the transaction of business within the forum state. This focus upon the  
23 affirmative conduct of the defendant is designed to ensure that the defendant is not haled into court  
24 as the result of random, fortuitous or attenuated contacts..." *Id.* (citations omitted). A defendant  
25 has purposely availed himself of the benefits of a forum if he has deliberately "engaged in  
26 significant activities within a State or has created 'continuing obligation' between himself and the

1 residents of the forum.” Burger King Corp. v. Rudzewicz, 471 U.S. 462, 475-76, 105 S. Ct 2174,  
 2 2183-84, 85 L.Ed.2d 528 (1985)

3

4

5       The defendants should not have notified AA of the events taking place at the security check  
 6 point, and the plaintiff asserts it is not required by law or anywhere in the 586 plus pages of the  
 7 manual to do so. The plaintiff asserts that, per the mask order, the defendants’ only options were  
 8 to advise the individual to place a mask over their nose and mouth and if the individual refused, to  
 9 escort the individual who refuses from the terminal. Additionally, the plaintiff was operating under  
 10 an exemption and the defendants intently and purposefully notified AA of the plaintiff. Their  
 11 actions were anything but random, fortuitous or attenuated contacts.

12

13

14       The plaintiff also alleged in the complaint on P. 17 L. 8 and P. 21 L. 4, and it is also  
 15 supported by the evidence, that the defendants created a communication channel with AA via email  
 16 and telephone on the following day. The email, in possession of the plaintiff, (see above) suggests  
 17 the defendants were willing and eager to provide AA with all the information to help the airline  
 18 persecute the plaintiff. In addition, the plaintiff’s chief pilot in Phoenix, Kenneth Wood, informed  
 19 the plaintiff that: “Washington State is after you.” The statement is included in the complaint on  
 20 P. 18 L. 13. The statement did not materialize out of thin air, but rather was transmitted to Kenneth  
 21 Wood as it was intended to be.

22

23

24       In this manner, and according to the Supreme Court decision in *Walden v. Fiore*, the Court  
 25 held that it upheld the assertion of jurisdiction over defendants who have purposefully “reach[ed]  
 26 out beyond” their State and into another by, for example, entering a contractual relationship that  
 27 “envisioned continuing and wide-reaching contacts” in the forum State,” and “....although

1 physical presence in the forum is not a prerequisite to jurisdiction, Burger King, *supra*, at 476,  
2 physical entry into the State – either by the defendant in person or through an agent, goods, mail,  
3 or some other means – is certainly a relevant contact.

4

5

6 Additionally, AA is on record in the transcript of the first disciplinary hearing which the  
7 plaintiff went through, (attached above) that cooperation existed between the defendants and AA  
8 to persecute the plaintiff. It is on the record that AA management in Phoenix stated the following:  
9 “....TSA and local authorities had an encounter with you going through... That information was  
10 brought to Ken. And they were going to press charges but turned it over to American Airlines to  
11 handle it within our own system....” Ken was the immediate supervisor of the plaintiff in Phoenix  
12 at the time. The effects of the defendants’ contacts with AA took effect immediately and upon the  
13 arrival of the plaintiff at his next destination. The plaintiff has not flown an aircraft for AA since  
14 December 6<sup>th</sup>, 2021.

15

16

17 As illustrated above, the defendants purposefully injected their activities into Arizona. The  
18 defendants’ activities started in Washington and extended to Arizona and their actions have and  
19 continue to control the plaintiff’s future at the airline and that of his livelihood. The defendants’  
20 actions created a substantial connection with the forum State, Arizona.

21

22

23 In support of the above statement, the Supreme Court has held in *Walden v. Fiore* that:  
24 “....For a State to exercise jurisdiction consistent with due process, the defendant’s suit-related  
25 conduct must create a substantial connection with the forum State.....” The plaintiff, after 24  
26 years, is on the verge of termination from AA, substantial enough, as a result of contacts made by

1 the defendants to Arizona. The exercise of jurisdiction in Arizona “comport with federal due  
2 process.”

3

4

5 The plaintiff does not see conflict in jurisdictional facts, however; if any jurisdictional facts  
6 that conflict exist, then the court must view and resolve those facts in the light most favorable to  
7 the plaintiff. *MacPherson*, 158 Ariz. at 312, 762 P.2d at 599. Where the determination of the  
8 jurisdictional issue involves disputed factual questions that are intertwined with the merits of the  
9 case and would therefore necessarily determine the merits of the case, the jurisdictional issue must  
10 be left for trial rather than determined on a motion to dismiss. *Bonner v. Minico, Inc.*, 159 Ariz.  
11 246, 253-54, 766 P.2d 598, 605-06 (1988)

12

13

14 The plaintiff asserts that actions taken by the defendants meet all three requisites of the  
15 Arizona long-arm statute, Rule 4.2 of Arizona Rules of Civil Procedure. (1) Whether the non-  
16 resident defendant has performed some act or consummated some transaction within the forum or  
17 otherwise purposefully availed himself of the privileges of conducting activities in the forum; (2)  
18 Whether the claim arises out of or results from the non-resident’s forum related activities; and (3)  
19 Whether the exercise of jurisdiction is reasonable.

20

21

22 The answer to three above is simple and straight forward. The “but for” test the Ninth  
23 Circuit has adopted is clear. The plaintiff did not wear a facial mask in compliance with the  
24 exemption available to him in the Security Directive of the TSA and the Federal Aviation  
25 Regulations. On many occasions, the plaintiff interacted with TSA personnel and explained  
26 aviation law, the only time the plaintiff was stopped, and the police called was in Spokane. The  
27 plaintiff asserts that had the defendants not contacted AA in Arizona, the plaintiff would not have

1 suffered and continue to suffer any damages. It is only because the defendants contacted AA that  
2 the plaintiff is suffering damages, therefore it is reasonable for this court to exercise jurisdiction  
3 over the defendants.

4

5

6 The plaintiff asserts that the defendants purposefully interjected into the forum state's  
7 affairs, Arizona, and directed and displayed their effort at continuing to persecute the plaintiff well  
8 after he left Washington. The plaintiff had attempted feverishly to inform the defendants of his  
9 rights and obligations as an airman but was summarily dismissed and shut out. Considering what  
10 occurred, the defendants could reasonably foresee themselves haled into court in the forum State.

11

12

13 The plaintiff asserts that it is of high importance to defend the citizens of Arizona and it is  
14 in the interest of the courts to do so in Arizona.

15

16 The plaintiff asserts the fact that the defendants extended their reach to Arizona and  
17 inflicted extreme damage and irreparable harm on the plaintiff and that moving the forum to  
18 Washington will place an unsolicited heavy burden on the plaintiff. The nature of the business the  
19 plaintiff is engaged in takes him to various parts of the country and to require the plaintiff to bring  
20 suit in each defendant's State for every time an incident occurs would be inequitable, inefficient,  
21 and contrary to the interest of judicial economy and efficiency. Furthermore, the defendants are  
22 financially secure and have recently received millions of dollars in Federal funding which would  
23 alleviate any financial burden on the defendants.

24 Again, it is untrue as the evidence will show and the motion states on P. 7 L11, that the  
25 defendants did not purposefully inject their activities into Arizona. The defendants' activities  
26 targeted Arizona and were not limited to Washington. The effects of the defendants' actions  
27 spanned four different States resting in Arizona, the home base of the plaintiff. The defendants'

1 actions have controlled the direction of events taking place to date and are affecting the plaintiff  
2 in unimaginable ways.

3

4 **IN CONCLUSION**

5

6 Given their intentional and willful contacts with the forum State, Arizona, and the fact that  
7 if it were not for their actions of notifying the plaintiff's employer and offering all assistance in  
8 persecuting him at present and in the future, the plaintiff would not have suffered irreparable harm.  
9 This case falls well within the limits of due process, and it is befitting that the court exercises  
10 personal jurisdiction over the defendants.

11

12 The plaintiff respectfully requests the court exercise personal jurisdiction over the  
13 defendants in this matter and deny the defendants' request to dismiss the case.

14

15 Respectfully submitted,

16 Dated May 24<sup>TH</sup>, 2022

17

18

19

20 Signed:

21 Bahig Saliba

22

23

Bahig Saliba

24

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## CERTIFICATE OF SERVICE

I hereby certify that on this day May 24, 2022, I electronically transmitted the forgoing with the Clerk of the court using the CM/ECF system for filing, with copies submitted electronically to the following recipient:

Robert T. Sullivan/Bar No. 022719

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By

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